From: Thomas Winzig
To: Microsoft ATR
Date: 1/28/02 12:02pm
Subject: Microsoft Settlement

The problem with the Microsoft settlement is that it
leaves them intact. If you want to really open up the
computer industry to newcomers, and punish Microsoft
for their illegal activities, you should break them up
into five or more groups. An operating system company;
an applications company; an internet services company;
a hardware company; a gaming/entertainment company.

If you are not willing or able to do that, then consider
the following:

FAIR OEM CONTRACTS

Force Microsoft's OEM licensing deals to be fair. They
killed Be, Inc. and many other companies that offer
choices to consumers with these OEM deals. Specifically,
Be was unable to deliver it's well-regarded OS via new
PC's, because the OEM's would not (could not) bundle it
on their new PC's, due to Microsoft's contracts. Be even
offered to give their OS to OEM's for FREE to try and
break into the market. Only Hitachi risked the wrath of
Microsoft, and even then, they were not able to show the
installation of BeOS to the end-user (due to Microsoft's
license restrictions).

Microsoft should be forced to come up with a fair contract
for an OEM which does not provide a BARRIER TO ENTRY for
other OS companies, and which is the same for all OEM's.

DISTRIBUTE (BUT NOT NECESSARILY "OPEN") WINDOWS SOURCE CODE

Force Microsoft to sell their operating systems with
the source code. I'm not talking about Open Sourcing their
OS -- just provide the source code with the copy of Windows
that was purchased. The source code license would restrict
distributing the source code, but would NOT restrict
developers and consumers from being able to create applications
that integrate with Windows just as well as Microsoft's
applications. It would also allow developers and consumers
to do things like: create patches to remove MSIE entirely;
find and fix bugs in security before Microsoft can, etc. But
the primary purpose is to allow third parties to be able to
develop competing applications that integrate well with Windows.

COMPLETELY DETAIL ALL MS OFFICE DOCUMENT FORMATS

Force Microsoft to release the full documentation and
all related source code for their Office document formats.
Microsoft has used the full force of its monopoly to get
people hooked on Office products. Now that Office has a
monopoly on the production suite market, the barrier to
entry is maintained because new office suites cannot
adequately read/write the MS Office documents. If the full
documentation and source code for those document formats
was released (and required to be updated for each new
version of these formats), then third parties could provide
read/write abilities in their competing office suites, and
consumers would have a choice. As it is now, most people
HAVE to use Office, because their friends and co-workers
do, and they must be able to share documents with them.

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